

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE GREAT ATLANTIC & PACIFIC TEA
COMPANY, INC. et al.,

Chapter 11

Case No. 15-23007-RDD

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE, that the undersigned hereby appears as Counsel for Elberon Development Group (“Elberon”) in the above referenced proceedings, pursuant to Section 1109(b) of the Bankruptcy Code and Bankruptcy Rules 2002, 9007 and 9010, and requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be given to and served upon the undersigned attorneys, or on its behalf, at the address set forth below:

William S. Katchen, Esq.
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PLEASE TAKE FURTHER NOTICE, that the foregoing demand includes not only the notices of pleadings referred to in the Bankruptcy Rules specified above, but also includes without limitation, orders and notices of any application, motion, petition, discovery, pleading, request, complaint or demand, whether formal or informal, whether written or oral and whether transmitted or conveyed by mail, delivery, telephone, telex or otherwise which relate to this proceeding.

PLEASE TAKE FURTHER NOTICE, that neither this Notice of Appearance nor any subsequent appearance, pleading, claim, or suit is intended or shall be deemed to waive Elberon's (i) rights to have final orders in non-core matters entered only after de novo review by a higher court; (ii) rights to trial by jury in any proceeding to triable herein or in any case, controversy or proceeding related hereto; (iii) rights to have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal; (iv) rights to enforce any contractual provisions with respect to arbitration; or (v) other rights, claims, actions, defenses, setoffs, or recoupments to which Elberon has or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

LAW OFFICES OF WILLIAM S. KATCHEN, LLC
210 Park Avenue, Suite 301
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Counsel for Elberon Development Group

By: /s/ William S. Katchen
William S. Katchen

Dated: New York, New York
July 28, 2015